

APPLICANT(S): Jeremy Burr
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Office Action and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-31 are pending in the application. Claims 1-9, 11-17 and 19 have been amended

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, claims 1, 6-7, 9, 19-20 and 22 were rejected under 35 U.S.C. § 102(b), as being anticipated by a patent issued to Vook et al. (US 5,583,866). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Regarding independent claims 1, 6 and 19, Applicant respectfully asserts that Vook et al. does not disclose at least the element of a synchronization system of the first mobile communication device able to route "...messages from the third mobile communication device to the second mobile communication device", which is recited in different versions by the three independent claims.

Accordingly, Applicant respectfully asserts that none of amended independent claims 1, 6 and 19 is anticipated by the Vook et al. reference. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections to amended independent claims 1, 6 and 19.

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Furthermore, applicant respectfully assert that the above distinctions between amended independent claims 1, 6 and 19 would not have been obvious to a person skilled in the art at the time the invention was made, in view of Vook, alone or in combination with any other prior art reference. Therefore, applicant respectfully asserts that claims 1, 6 and 19 are patentable, and thus allowable, over prior art on record.

Applicant notes that claims 7 and 9 are depend from patentable base claim 6 and claims 20 and 22 are depend from patentable base claim 19. In this regard, in addition to any independent bases for patentability, Applicant respectfully submits that claims 7, 9, 20 and 22 are patentable over the cited reference(s) by virtue of at least such dependency on patentable base claims 6 and 19. Accordingly, Applicant respectfully requests that the §102 rejection of claims 7, 9, 20 and 22 be withdrawn.

35 U.S.C. § 103 Rejections

The Office Action rejected claims 2, 6, 8, 10, 14, 21, 23 and 27 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Applicant notes that the Office Action did not present any arguments to support the rejection of claim 6 under 35 U.S.C. § 103(a). Accordingly, Applicant respectfully asserts that a *prima facie* case of obviousness of amended independent claim 6 has not been established and, therefore, amended independent claim 6 is allowable for the reasons stated above. Applicant respectfully requests that the Examiner withdraw the rejections of amended independent claim 6.

Applicant notes that claim 2 depends from amended independent claim 1, that each of claims 8, 10 and 14 depends, directly or indirectly, from amended independent claim 6, and that each of claims 21, 23 and 27 depend, directly or indirectly, from amended independent claims 19. Accordingly, in addition to any independent bases for patentability, Applicant respectfully submits that claims 2, 8, 10, 14, 21, 23 and 27 are similarly patentable over the cited references by virtue of at least such dependency.

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Furthermore, Applicant notes that Haartsen is not cited in the Office Action as curing and does not, in fact, cure the deficiencies identified above in the Vook et al. reference. In this regard, without conceding the appropriateness of the combination of Vook et al. and Haartsen, or the characterization of such references vis a vis claims 2, 8, 10, 4, 21, 23 and 27, Applicant respectfully submits that the combination of the Vook et al. and Haartsen references fails to teach or fairly suggest that which is claimed in claims 2, 8, 10, 4, 21, 23 and 27.

Accordingly, Applicant respectfully requests that the rejection of claims 2, 8, 10, 14, 21, 23 and 27 under 35 U.S.C. § 103(a) be withdrawn.

The Office Action rejected claims 11, 17, 24 and 30 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and further in view of Peters (US 6,601,093).

Applicant notes that claims 11 and 17 depend, directly or indirectly, from amended claim 6, and that claims 24 and 30 depend, directly or indirectly, from amended claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 3-5, 12-13, 18, 25-26 and 31 are similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claims 3-5, 12-13, 18, 25-26 and 31, under 35 U.S.C. § 103(a), be withdrawn.

In addition, Applicant notes that Peters et al. is not cited as curing the deficiencies of Haartsen and/or Vook, alone and/or in combination, and does not, in fact, cure such limitations. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claims 11, 17, 24 and 30, Applicant respectfully submits that the combination of Vook et al. in view Haartsen references and further view of Peters et al. fails to disclose or suggest that which is claimed in claims 11, 17, 24 and 30. Accordingly, in addition to any independent bases for patentability, Applicant respectfully submits that claims 11, 17, 24 and 30 are similarly patentable over the cited references by virtue of at least such dependency.

The Office Action rejected claim 3 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and further in view of Jacquet et al. (US 6,590,891).

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Applicant notes that claim 3 depends from amended claim 1. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 3 is patentable over the cited references at least by virtue of such dependency. Accordingly, Applicant respectfully requests that the rejection of claim 3 be withdrawn.

The Office Action rejected claims 4, 5, 12-13, 25, and 26 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and further in view of Jacquet et al. (US 6,590,891).

Applicant notes that claims 4, 5 depend, directly or indirectly from amended independent claim 1, that claims 12-13 depend directly or indirectly from amended independent claim 6, and that claims 25-26 depend, directly or indirectly, from amended independent claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 4, 5, 12-13, 25, and 26 are patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claims 4, 5, 12-13, 25, and 26 under 35 U.S.C. § 103(a), be withdrawn.

In addition, Applicant note that Jacquet et al. is not cited as curing the deficiencies of Haartsen and/or Vook, alone and/or in combination, and does not, in fact, cure such deficiencies. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claim 3, 4, 5, 12-13, 25, and 26, Applicant respectfully submits that the combination of Vook et al. in view of the Haartsen reference and further view of Jacquet et al. fails to disclose or suggest that which is claimed in claims 3, 4, 5, 12-13, 25, and 26.

The Office Action rejected claim 31 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and Peters et al. (US 6,601,293) and further in view of Jacquet et al. (US 6,590,891).

Applicant notes that claim 31 depends from amended claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 31 is similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claim 31 be withdrawn.

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The Office Action rejected claim 18 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and Peters et al. (US 6,601,293) and further in view of Jacquet et al. (US 6,590,891).

Applicant notes that claim 18 depends from amended claim 6. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claim 18 is similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claim 18 be withdrawn.

In addition, Applicant notes that Jacquet et al. is not cited as curing the deficiencies of Vook and/or Haartsen and/or Peters, alone and/or in combination, and does not, in fact, cure such deficiencies. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claim 31 and 18, Applicant respectfully submits that the combination of Vook et al. in view of Haartsen and Peters references and further view of Jacquet et al. fails to disclose or suggest that which are claimed in claims 18 and 31. Accordingly, in addition to any independent bases for patentability, Applicant respectfully submits that claim 18 and 3 are similarly patentable over the cited references by virtue of at least such dependency.

The Office Action rejected claims 15, 28 and 29 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in view of Haartsen (US 6,026,297) and further in view of Du et al. (US 6,603,740).

Applicant notes that claim 15 depends from amended claim 6, and that claims 28 and 29 depend, directly or indirectly, from amended claim 19. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claims 15, 28 and 29 are similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claims 15, 28 and 29, under 35 U.S.C. § 103(a), be withdrawn.

The Office Action rejected claim 16 under 35 U.S.C. § 103(a), as being unpatentable over Vook et al. (US 5,583,866) in the view of Haartsen (US 6,026,297) and further view of Du et al. (US 6,603,740).

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Applicant notes that claim 16 depends from amended claim 6. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claim 16 is similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the rejection of claim 16, under 35 U.S.C. § 103(a), be withdrawn.

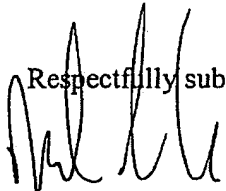
In addition, Applicant note that Du et al. is not cited as curing the deficiencies of Haartsen and/or Vook, alone and/or in combination, and does not, in fact, cure such deficiencies. In this regard, without conceding the appropriateness of the combination, or the characterization of such references vis a vis claims 15-16, 28 and 29, Applicant respectfully submits that the combination of Vook et al. in view of the Haartsen reference and further in view of Du et al. fails to disclose or suggest that which is claimed in claims 15-16, 28 and 29. Accordingly, in addition to any independent bases for patentability, Applicant respectfully submits that claim 15-16, 28 and 29 are patentable over the cited references by virtue of at least such dependency.

In view of the foregoing remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

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Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,


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